

12 September 1984

MEMORANDUM FOR: DDCI

24 SEP 1984

FROM: DCI

SUBJECT: Update on Activities

1. I have talked to Weinberger, Shultz and McFarlane about Gates' memo on dissemination and expect to bring it up at the NFIB Thursday.

2. I sent the attached letter (Tab A) to the Attorney General after talking to him. He said he understood you had taken it up with his deputy. I told him you had not been able to get together and I had taken it on. He is sympathetic but not ready to give up the Privacy Act issue in the Provenzano (sp?) case which is before the Supreme Court. He says it is

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5. We have to move ahead on the recommendation and the options for dealing with the Soviet presence which was formulated by the IG-CI under Judge Webster's chairmanship (Tab E).

6. I have held the matter of Stan Turner's travel to the Soviet Union to get your views on how to handle it (Tab F). ||

7. The proposed Agency procedures governing reporting to oversight committees (Tab G), it seems to me, would have us in contentious issues all the time, i.e., what is the substantial change in scope, in means of implementation? We have to be very careful not to cripple the covert action option. If we could, I'd rather review this whole matter and talk it out calmly before leaping into print right now.

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9. I have asked Clair George and Bob Gates to make renewed efforts to provide DI guidance on HUMINT intelligence collection, particularly on the political side. (See attached memo to DDO and DDI--Tab I.)

10. I have also been doing some probing to see what we can do to get a better evaluation of the systems mix, which was called for at the Off-site Conference before the last one, as well as sharpened requirements in targeting. The IC Staff is coming up with some ideas on this. I met with Gates and Kerr and they are launching an exercise using the NIOs to define more sharply the items of information most critical to the intelligence assessments which can be seen ahead.



William J. Casey

Attachments

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WASHINGTON POST

PG. A-17

7 SEPTEMBER 1984
ITEM No. 1*Rowland Evans
And Robert Novak*

Danger Warning

While President Reagan submits to the political requirement of his campaign and tries to avoid pre-election U.S.-Soviet confrontation, an internal paper drafted for CIA Director William Casey warns that the days ahead "will be the most dangerous that we have ever known."

The 11-page memorandum by the vice chairman of the CIA's National Intelligence Council was submitted to Casey in midsummer. Herbert E. Meyer, one of the few outsiders Casey brought to the CIA with him in 1981, told his boss that the Soviet Union faces a "growing sense of pessimism and looming decline."

That explains Meyer's warning. If the Soviet Union cannot reform its shackled managerial, agricultural and industrial systems because of fear of weakening the Communist Party's dictatorial control, it may choose a "high-risk course designed to change the correlation of [East-West] forces before it is too late." Such a course would be a "grab for the Persian Gulf, an attack on Western Europe or even a first strike on the U.S."

Disclaiming predictions, Meyer simply states as a fact that these "most dangerous" reactions to the Soviet "decline" may now have entered a stage of active consideration inside the Kremlin.

Some Soviet scholars believe that the Russian national temperament is not conducive to lashing out militarily in an effort to solve domestic problems, tending rather toward "circling the wagons." But Meyer's memorandum to Casey warns that the danger of the Soviets' striking at the United States and the West is real and rising. In plotting American strategy for dealing with the Soviet empire in its decline, the United States must make "absolutely certain" that no Soviet leadership could convince itself that salvation lies in trying to destroy the United States. That dictates military readiness.

Although Casey's response to Meyer's strategy for the period of Soviet "decline" was private, he is known to have reacted strongly in favor of Meyer's warning not to give the Soviets economic or technological help.

That exposes one of the most enduring and embittering disputes over U.S. strategy within the Reagan administration. At the moment Casey was studying Meyer's memorandum, the Commerce Department's Office of Export Administration was putting finishing touches on the largest new list of oil and gas equipment to be offered for sale to the Soviet Union since the early 1970s.

A U.S.-Soviet energy fair now being planned for Moscow next year will offer the Russians such mouth-watering American technology as new computers to guide the flow of natural gas in pipelines, submersible pumps and deep-sea exploration and extracting equipment.

Meyer warned explicitly against just such technology sales. Foreseeing Soviet requests for massive amounts of Western technology, Meyer said that the United States and its allies "have learned the hard way that the Soviets use whatever help we give not to improve their . . . standard of living but rather to build and deploy more weapons." In the end, he told Casey, the gains for Soviet military systems from such technology transfers always outweigh the profits of American producers.

This CIA portrait of a Soviet empire slipping into decline was buttressed by a stark collection of sociological and public health facts gathered by CIA analysts. Meyer said Soviet medical literature shows that five key communicable diseases are out of control in the Soviet Union: polio, diphtheria, scarlet fever, whooping cough and measles. The incidence of measles is only fractionally below the level at which it could be attributed to malnutrition. At least 12 cities, but not Moscow or Leningrad, are under food rationing today.

To support his finding of deep pessimism, Meyer said the Soviet abortion rate is running close to 70 percent (compared to the 26 percent U.S. rate). Demographics point to disaster: a declining population in the educated Russian Soviet Republic, which contains two-thirds of total Soviet industrial capacity, and high birthrates in the Moslem republics.

Two months before the election may not be the ripest time for Ronald Reagan to decide second-term strategy for dealing with his Soviet adversary, declining or not. But when he gets around to it, Reagan could do worse than ask his old friend Bill Casey to let him see Meyer's memorandum.

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Washington, D. C. 20505

6 September 1984

The Honorable William French Smith
The Attorney General
Washington, D. C. 20530

Dear Bill:

I write you on a matter on which our staffs are working and which is of high importance to our security interests. I bring it to your attention now because time is short and we may need to go over it together.

As you know, we have been trying for the last six years to obtain legislative relief from the unique burdens we face under the Freedom of Information Act (FOIA). We now are on the verge of obtaining this essential relief.

The pending legislation would bring major benefits to our national intelligence effort. It would remove from the search and review provisions of the FOIA large segments of our operational files, thereby allowing the CIA to provide greater assurances of confidentiality to our foreign sources and liaison services and releasing many of our most experienced officials from involvement in FOIA processing. It would also enhance the maintenance of compartmentation of CIA information, which is a principle crucial to the success of sensitive intelligence operations. The Administration, including the Department of Justice, has extensively examined and approved the proposal that CIA seek separate legislation for FOIA relief and the President has personally given his support.

Our legislation was unanimously passed by the Senate late last year. The House Permanent Select Committee on Intelligence amended the bill and unanimously reported it earlier this year. Representative Glenn English, Chairman of the House Government Operations Subcommittee on Government Information, Justice and Agriculture, then made the addition of an amendment to the Privacy Act a prerequisite for Subcommittee action on the legislation. This amendment simply states that the Privacy Act cannot be used as a withholding statute under exemption (b)(3) of the FOIA.

We understand that it is a matter of some concern to the Department of Justice because it would be contrary to the revised policy guidance given by the Department of Justice on the use of the Privacy Act as a (b)(3) exemption and because this very question is awaiting decision by the United States Supreme Court. On the other hand, we have been informed that the Department of Justice will withdraw its objections to Representative English's amendment to our bill if a satisfactory agreement can be reached on a substitute bill for S. 774, the government-wide FOIA relief bill. I understand that negotiations are currently under way to achieve this compromise.

The Administration may have to evaluate the prospects and the relative value of getting CIA's sensitive operational files exempted against preserving Justice's ability to use the Privacy Act to exempt some files from demands under the Freedom of Information Act. The considerations from the CIA standpoint are:

- a. Our operational files will no longer need to be searched.
- b. Our foreign sources and liaison services would have greater assurance that we can preserve their confidentiality.
- c. Some of our most able and experienced officers could turn from FOIA processing to gathering intelligence. The Agency can use only high caliber personnel to protect sources included in its operational files.
- d. While the relief pertains only to the CIA records at this time, it certainly is a blueprint for other agencies in the Intelligence Community to obtain similar relief in the near future.
- e. It is extremely important for the Agency and its personnel to continue the momentum on the legislative front which started with the passage of the Classified Information Procedures Act in 1982 by obtaining this legislation as opposed to allowing this hard fought effort to go down the drain without any appreciable results.

Bill, this is a critical issue for this Agency. We urgently need this relief from the FOIA. It would represent an auspicious start in achieving a goal to which this Administration has been committed since its inception. If we do not get enactment of this legislation in this Congress, the chances of its enactment over the next several years are slim. As a result of the successful adoption of Executive Orders 12333 and 12356 and passage of the Intelligence Identities Protection Act of 1982, this Administration has built up a positive regulatory and legislative momentum in the national security arena which would be severely impacted if we failed to obtain enactment of the FOIA legislation in this Congress. I believe with time running out in this session of the Congress it is essential we resolve this quickly.

Sincerely,



William J. Casey
Director of Central Intelligence

Central Intelligence Agency



Washington, D. C. 20505

10 September 1984

The Honorable Joseph Wright
Deputy Director
Office of Management and Budget
Washington, D. C. 20503

Dear Joe,

Here is a copy of my letter to the Attorney General on the high national interest in having the CIA operational files exempted from the Freedom of Information Act (FOIA).

I strongly believe that the continuing use of the Privacy Act as an FOIA exemption in law enforcement is of far lesser significance than the impact that exemption of CIA's operational files in relieving liaison services and agents all over the world from the worry that helping the United States can lead to the loss of sources and risk of lives and reputations would have.

I am told that the important law enforcement interest can be met by asserting the exemptions already provided in the FOIA.

I also understand that if the Supreme Court approves the continued use of the Privacy Act as an FOIA exemption, Congress is almost sure to enact legislation to take it away.

Thus, we risk a major achievement for the Administration in obtaining the relief from the FOIA it has set as one of its goals in order to save a doubtful exemption, which is of little added value and which is not likely to last very long in any event.

On the basis of confidential discussions with the FBI last week, I believe that you will find the use of the Privacy Act as an exemption has not been either frequent or significant.

The attached clipping from the New York Times confirms our view that if we are going to get this achieved it will have to be done during this next week or two.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill", written in dark ink.

William J. Casey
Director of Central Intelligence

Attachments



Washington, D.C. 20505

6 September 1984

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The Attorney General
Washington, D. C. 20530

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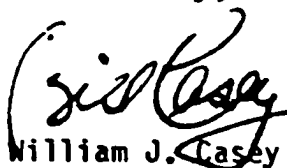
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Sincerely,



William J. Casey
Director of Central Intelligence

September 1984

A.C.L.U. Reviews Support of Information Bill

By DAVID BURNHAM

Special to The New York Times

WASHINGTON — The American Civil Liberties Union is reviewing its support for legislation that would exempt most of the operational files of the Central Intelligence Agency from requests under the Freedom of Information Act.

Norman Dorsen, president of the civil liberties group, said the decision to study the bill further was reached after a lawyer representing the southern California affiliate of the organization detailed his opposition at an Aug. 18 meeting of the union's executive committee. The meeting followed a

vote by the California affiliate several months ago to oppose the national group's position on the issue.

The intelligence agency and the liberties union have both testified in support of the House version of the bill, and this harmony has played a major role in the bill's progress through Congress.

The California affiliate's objections center on provisions in the bill that it contends would almost eliminate the right of Federal judges to review administrative decisions of the C.I.A.

A second criticism is the belief that if the proposal wins Congressional approval, a number of other intelligence and law-enforcement agencies would request the same kind of exemption from the information act, a law establishing the general principle that the public has the right to read almost all Government documents.

Ira Glasser, executive director of the national A.C.L.U., said he had asked lawyers in and outside his group who specialize in cases of freedom of information to assess these objections. "I'm trying to do a serious review of their claim," he said. "This is a process that is quite normal."

Mr. Glasser said the review would involve the three lawyers who act as the A.C.L.U.'s general counsel.

Mark Lynch, an expert for the civil liberties group on the freedom of information law, characterized the review as a preliminary inquiry. He said the group would reconsider its stance on the bill only if the criticism was found to be merited.

"It is unlikely there can be any criticism that has not been considered," he said.

The legislation exempting the intelligence agency from some provisions of the information act has been approved by the House Intelligence Committee and the House Government Operations Committee. It may come to the floor soon under a procedure that requires approval of two-thirds of the members to pass. The Senate already has passed its version of the bill.

Under current law, the intelligence

agency is required to search all of its files when it gets a request under the Freedom of Information Act. The agency is then permitted to delete certain kinds of classified information. Under the House proposal, the agency would be excused from searching several specific files from which information is rarely, if ever, released.

Supporters of the legislation contend that by exempting the C.I.A. from making what are usually fruitless searches, long delays in answering other requests would be reduced. Critics, however, argue that if the legislation becomes law, the intelligence agency would avoid disclosure of more and more information by placing it in exempted files.

Mr. Glasser said that if the questions raised by Meir Westreich, an Orange County lawyer representing the organization's southern California affiliate, were found to be valid, he would withdraw the union's backing.

"If everyone convinces me that we were all wet in our first position, that's the end of it," he said in an interview.

Mr. Glasser said the general counsel, Frank Askin, a law professor at Rutgers University; Lawrence Herman, a law professor at Ohio State, and Harriet Pilpel, a lawyer in private practice in New York City, were trying to complete their review quickly.

The legislation has not attracted wide criticism. Among those who opposed it, however, were Jack Landau of the Reporters Committee for the Freedom of the Press and Samuel R. Gammmon, a former ambassador who spoke for the American Historical Association.

6 September 1984

MEMORANDUM FOR: Deputy Director for Operations

FROM: Director of Central Intelligence

SUBJECT: Sensitive Reporting

1. Will you have a set of proposed arrangements drawn up to tighten up severely our source-sensitive HUMINT reports--taking whatever steps are available to reduce the risk of dissemination. This will include restricted dissemination and circulation, handcarrying by courier, no copies left behind, creation of a small group of security officers with responsibilities to:

- arrange for physical handling or delivery of the information;
- coordinate a customer list with the originator;
- maintain a record of who saw what, when;
- develop a set of rules for use of the information, including perhaps some reporting of those to whom it has been made available.

2. For the longer term, I'd like your reaction on the feasibility of developing a computer-based system through which we would disseminate selected products. We would control and manage the system. This would allow us to provide (and control) access to selected current intelligence product from Headquarters. A dedicated mini-computer, serving a limited number of senior customers, could be used to deliver spot reports and other products as appropriate. The system should be designed to eliminate the use of hard copy documents, access would be by password, people would only be sent products for which they were cleared, and a permanent "auditable" record of everyone having access to certain kinds of information would automatically be maintained.

3. In making these suggestions, I have in mind reports of [redacted] HUMINT, and certain other reports just because of their current interest and political sensitivity which might be considered leak prone and at the same time dangerous to sources. In addition to protecting sources and methods, I would look to such an initiative to regenerate the political will to deal with the hard problem of controlling leaks by starting with a small (albeit important) group of customers, and by focusing on clearly sensitive intelligence from a "sources and methods" point of view.

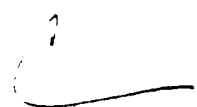
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4. We should be thinking of doing this on a scale which will deal with the most dangerous risk to our sources and methods, and be small enough to be readily workable and susceptible to expansion on the basis of experience. To help judge this, it will be helpful to get your estimate of the number of reports, sources, and customers who might be brought into the operation of such a system, looking for the highest risk and the most narrow audience at the start.



William J. Casey

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D/ICS-84-0881
7 September 1984

MEMORANDUM FOR: Director of Central Intelligence

FROM:
Chief, Community Counterintelligence Staff/IC Staff

SUBJECT: IG/CI Meeting Summary

1. The IG/CI, chaired by Judge Webster, met on 6 September 1984. Each of the 17 proposed options were reviewed, as well as three additional options proposed by PFIAB (Tab 1).

2. Discussions were substantive and were conducted in an ambiance of cooperation and compromise somewhat stronger than in previous meetings. The Department of State, nevertheless, remains the principal protagonist for the exercise of restraint in pursuing those options developed to date. State has, however, agreed to work with the language of several of the options in an attempt to craft acceptable positive proposals. Other agencies seemed ready to support most of the options, provided that changes discussed are incorporated into the language (CIA could not support Option 7). Tab 2 capsules decisions made by the IG/CI on each option. As reflected, there was agreement to forward to the SIG-I, as written, those options on which no compromise language can be agreed. These would, however, be accompanied by the rationale of dissenting agencies.

3. The process of reworking the option language has already begun. An IG/CI meeting to review the final package is not anticipated, however, until later this month due to the time required to craft new language, the need for more detailed legal review of some options, and the absence of Judge Webster until 25 September.

Attachments:

Tabs as stated

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SECURITY POLICY CONCERNING TRAVEL AND ASSIGNMENT OF PERSONNEL WITH ACCESS TO SENSITIVE COMPARTMENTED INFORMATION (SCI)¹

(Effective 8 April 1983)

Pursuant to the provisions of the Director of Central Intelligence Directive (DCID) on the Security Committee, minimum security policy is herewith established for assignment and travel of U.S. Government civilian and military personnel, government consultants and employees of government contractors who have, or who have had, access to SCI.

1. Purpose

This policy is based upon the need to protect SCI from possible compromise resulting from the capture, interrogation, exploitation, or entrapment of personnel (stipulated above) by hostile nations or groups.

2. Definitions

- a. **Defensive Security Briefings**—formal advisories which alert traveling personnel to the potential for harassment, provocation, or entrapment. These briefings are based on actual experience when available, and include information on courses of action helpful in mitigating adverse security and personal consequences.
- b. **Hazardous Activities**—assignments or visits to, and travel through, countries listed in the attached Appendix. Hazardous activities also include assignment or travel in combat zones or other areas where hostilities are taking place, duties behind hostile lines, and duties or travel in isolated or exposed areas where individuals cannot reasonably be protected against hostile action. The use of vessels owned or controlled by a country listed in the attached Appendix is also included.
- c. **Risk of Capture Briefings**—formal advisories which alert personnel as to what may be expected in the way of attempts to force or trick them to divulge classified information if captured or detained and of suggested courses of action they should follow to avoid or limit such divulgence. These advisories include instructions/advice for advance preparation of innocuous, alternate explanations of duties and background.
- d. **Senior Officials of the Intelligence Community (SOICs)**—for the purposes of this policy statement, SOICs are defined as the heads of organizations within the Intelligence Community, as defined by Executive Order 12333, or their designated representatives.
- e. **Sensitive Compartmented Information (SCI)**—all information and materials requiring special Community controls indicating restricted handling within present and future Community intelligence collection programs and their end products. These special Community controls are formal systems of

¹ This policy statement supersedes DCID No. 1/20, effective 6 June 1978.

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restricted access established to protect the sensitive aspects of sources, methods, and analytical procedures of foreign intelligence programs. The term does not include Restricted Data as defined in Section II, Public Law 585, Atomic Energy Act of 1954, as amended.

3. Policy

Persons granted access to information about the sensitive aspects of sources, methods, and analytical procedures of foreign intelligence incur a special security obligation and are to be alerted to the risks associated with travel to, through, or within, or with other activities involving, the countries listed in the attached Appendix.

- a. *Official Travel.* No person with access to SCI will be assigned or directed to participate in a hazardous activity, as defined herein, until he or she has been afforded a defensive security briefing and/or risk of capture briefing by an official specified by the cognizant SOIC. Consideration will be given to the relative protection enjoyed by U.S. personnel having diplomatic status.
- b. *Unofficial Travel.* All persons having access to SCI who plan unofficial travel to, through, or within countries listed in the attached Appendix must:
 - (1) give advance notice of such planned travel;
 - (2) obtain a defensive security briefing from the specified official prior to performing such travel;
 - (3) contact immediately the nearest U.S. Consul, Attache, or Embassy Regional Security Officer or Post Duty Officer if detained or subjected to significant harassment or provocation while traveling; and
 - (4) report to the specified official upon return from travel any unusual incidents, including incidents of potential security concern, encountered during such travel.

Failure to comply with the above provisions may result in the withdrawal of approval for continued access to SCI:

- c. *Specific and Extensive Knowledge.* Persons with specific and extensive knowledge of the following aspects of foreign intelligence shall be advised that unofficial travel without the approval of the cognizant SOIC may result in the withdrawal of approval for continued access to SCI:
 - (1) technological structure, function, and techniques of sensitive intelligence collection or exploitation system/methods;
 - (2) designated system targets or sources;
 - (3) method and purpose of target selection;
 - (4) degree of success of collection or exploitation system/method; or,
 - (5) collection of exploitation system/method capabilities and vulnerabilities.
- d. *Previous Access.* Persons whose access to SCI is being terminated will be officially reminded of their continuing obligation to protect SCI and will be afforded advisories on the risks associated with participation in hazardous activities.

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4. Responsibilities

- a. The DCI will cause to be prepared and disseminated to the SOICs a list of countries identified as posing a security risk bearing on this policy (see Appendix). The Security Committee will coordinate required support including source material concerning these risks.
- b. SOICs will issue implementing directives concerning travel and assignment of personnel of their departments or agencies. Such directives will include the overall policy, definitions, and criteria set forth herein and will provide for:
 - (1) an annual reminder of the policy set forth in paragraph 3, above;
 - (2) defensive security briefings or risk of capture briefings to personnel of their departments or agencies;
 - (3) institution of positive programs for the collection of information reported under the provisions of paragraph 3b(4), above; and
 - (4) ensuring that new information obtained by their departments or agencies on harassments or provocations, or on risk of capture situations, is provided to the DCI and to other interested NFIB agencies. (Where warranted by new information, changes to the Appendix hereto will be made. Recommendations with supporting justification may be made for either addition or deletion of countries.)

5. Classification.

As this directive sets forth security policy for persons with access to SCI, it merits and warrants the overall classification of CONFIDENTIAL in its totality. Selected paragraphs may be excerpted for use at the FOR OFFICIAL USE ONLY level by SOICs, their designees, or SCI Special Security/Control officers, when considered appropriate. The identification of any country in the Appendix as having been designated as a hazardous area by the DCI is classified CONFIDENTIAL.

Attachment:

Countries and Areas in Which Visits, Travel, and Assignment are Considered to be a Hazardous Activity.

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Executive Registry

84- 8076

6 September 1984

MEMORANDUM FOR: Deputy Director for Intelligence
Deputy Director for Operations

FROM: Director of Central Intelligence

SUBJECT: Improving Political Intelligence


1. As a follow-on to the changes recently made in the direction of divisions and offices in your organizations, I think that now is the time for a renewed effort to improve political intelligence. We need to get more information on senior-level dynamics, politics, and policies for

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The need with respect to these countries has been recognized, major efforts have been mounted and some progress has been made, enough to show that additional sources and improved insights can be developed with the necessary effort and focus.

2. To achieve this, we need a closer and more active liaison between analysts and case officers and reports officers. We have to be sure that the latter know how analysts do their work and the information they need. They must develop among themselves "requirements" on political issues which are less broad and more specific and pointed than the broad categories of information usually specified in boilerplate requirements. They need to search for information and insights from which a sense can be gained of the political dynamics of the country's leadership and its opposition and how they relate.

3. I would like you to put a small group of the right people together from your Directorates to address this need and to figure out how it can be given high priority and concrete form through development of a strategy and helpful guidelines for correction.


William J. Casey

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